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December 12, 2017

The Honorable Ajit Pai Chairman Federal Communications Commission 445 12th St., SW Washington, DC 20554

Dear Chairman Pai:

We write to urge you to abandon your reckless plan to radically alter the free and open internet as we know it. Your proposed action will amount to the largest abdication of the Federal Communications Commission's (FCC's) statutory responsibilities in history.

At its inception, Congress delegated to the FCC the primary responsibility to protect consumers and the public interest with respect to the nation's communications networks. With your current proposal, you have now decided to throw overboard those long-standing responsibilities – and consumers with them. In short, you are walking away from your statutory duties and effectively eliminating FCC oversight over high-speed internet access.

Your plan gives a broadband provider the ability to significantly alter their subscribers' internet experience. Once adopted, this proposal will permit that provider to freely block, slow down or manipulate a consumer's access to the internet as long as it discloses those practices – no matter how anti-consumer – somewhere within mounds of legalese in a new "net neutrality" policy.

Your proposal also makes sure that no other state or local government can fill this gaping consumer protection void by preempting them from adopting their own open internet consumer protections. It is not enough for the FCC to turn its back on consumers. You willfully plan to tie the states' hands to prevent them from protecting their own residents. It is a stunning regulatory overreach.

Underlying your plan is the false notion that your action will return the internet to the supposed halcyon days of "light touch" regulation in the past. This notion – that the way the agency approached internet access in the 1990s and early 2000s is the perfect approach today – ignores the very different role that the internet plays in 2017. Over the past 20 years, internet communications have become widely adopted and relied on by American homes and businesses. Yet, your plan ignores the central and critical role that access to a free and open internet plays in Americans' lives and the role that the nation's expert communications agency should play with respect to the networks underlying that access. Moreover, your assertion that your plan returns internet access to the way it was before is not correct. Even under the Bush-era FCC, the agency adopted open internet principles and held out the threat of regulatory action to combat harmful activity. Your plan eradicates even that backstop and leaves Americans without a regulatory safety net.

The future of the internet hangs in the balance. The FCC's responsibilities over the nation's communications networks remain, and are more crucial than ever, as the internet has become fundamental to every aspect of our society. On behalf of our constituents – and future generations of Americans – we urge you to abandon this radical and reckless plan to turn the FCC's back on consumers and the future of the free and open internet.

Sincerely,

BILL NELSON

BRIAN SCHATZ

JACK REED

GARX C. PETERS

PATTY WIRRAY

SHELDON WHITEHOUSE

MAZIE K HIRONO

ON TESTER

Tammy Duckworth
ANGUS SKING, JR. Bol Carey, S. ROBERT P. CASEY
Kirsten Gillibrand Kirsten Gillibrand
RICHARD BLUMENTHAL
Jeffrey A. Merkley
KAMALA D. HARRIS
Bernard Sanders

CHARLES E. SCHUMER SHERROD BROWN

ELIZABETH WARREN

JEANNE SHAHEEN	TOMUDALL
MARGARET WOOD HASSAN	MARTIN HEINRICH
AL FRANKEN	AMY KLOBUCHAR
Ben Colin BENJAMIN L. CARDIN	CATHERINE CORTEZ MASTO
CORY A. BOOKER	CHRIS VAN HOLLEN
RICHARD J. DURBIN	DEBBIE STABENOW
CHRISTOPHER MURPHY	TIM KAINE
ROBERT MENENDEZ	



April 24, 2018

The Honorable Patty Murray United States Senate 154 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Murray:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

Then, in early 2015, the FCC jettisoned this successful, bipartisan approach to the Internet and decided to subject the Internet to utility-style regulation designed in the 1930s to govern Ma Bell. This decision was a mistake. For one thing, there was no problem to solve. The Internet wasn't broken in 2015. We weren't living in a digital dystopia. To the contrary, the Internet had been a stunning success.

Not only was there no problem, this "solution" hasn't worked. The main complaint consumers have about the Internet is not and has never been that their Internet service provider is blocking access to content. It's that they don't have access at all or enough competition between providers. The 2015 regulations have taken us in the opposite direction from these consumer preferences. Under Title II, annual investment in high-speed networks declined by billions of dollars—the first time that such investment has gone down outside of a recession in the Internet era. And our recent Broadband Deployment Report shows that the pace of both fixed and mobile broadband deployment declined dramatically in the two years following the *Title II Order*.

The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what they're buying and that startups get information they need as they develop new products and services.

Moreover, we reestablish the Federal Trade Commission's authority to ensure that consumers and competition are protected. Two years ago, the *Title II Order* stripped the FTC of its jurisdiction over broadband providers by deeming them all Title II "common carriers." But now we are putting our nation's premier consumer protection cop back on the beat.

In sum, Americans will still be able to access the websites they want to visit. They will still be able to enjoy the services they want to enjoy. There will still be regulation and regulators guarding a free and open Internet. This is the way things were prior to 2015, and this is the way they will be in the future.

I appreciate your interest in this matter. Your views are important and will be entered into the record of the proceeding. Please let me know if I can be of any further assistance.

Sincerely.



April 24, 2018

The Honorable Al Franken United States Senate 309 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Franken:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Amy Klobuchar United States Senate 302 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Klobuchar:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Angus King United States Senate 133 Hart Senate Office Building Washington, D.C. 20510

Dear Senator King:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Benjamin L. Cardin United States Senate 509 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Cardin:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Bernard Sanders United States Senate 332 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Sanders:

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April 24, 2018

The Honorable Bill Nelson United States Senate 716 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Nelson:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Bob Casey United States Senate 393 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Casey:

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The Honorable Brian Schatz United States Senate 722 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Schatz:

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April 24, 2018

The Honorable Catherine Cortez Masto United States Senate B40A Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Cortez Masto:

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The Honorable Charles E. Schumer United States Senate 322 Hart Senate Office Building Washington, D.C. 20510

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The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what they're buying and that startups get information they need as they develop new products and services.

Moreover, we reestablish the Federal Trade Commission's authority to ensure that consumers and competition are protected. Two years ago, the *Title II Order* stripped the FTC of its jurisdiction over broadband providers by deeming them all Title II "common carriers." But now we are putting our nation's premier consumer protection cop back on the beat.

In sum, Americans will still be able to access the websites they want to visit. They will still be able to enjoy the services they want to enjoy. There will still be regulation and regulators guarding a free and open Internet. This is the way things were prior to 2015, and this is the way they will be in the future.

I appreciate your interest in this matter. Your views are important and will be entered into the record of the proceeding. Please let me know if I can be of any further assistance.

Sincerely,



April 24, 2018

The Honorable Christopher S. Murphy United States Senate 136 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Murphy:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

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Sincerely.



April 24, 2018

The Honorable Cory Booker United States Senate 359 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Booker:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

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Sincerely,



April 24, 2018

The Honorable Debbie Stabenow United States Senate 731 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Stabenow:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Edward J. Markey United States Senate 255 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Markey:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Elizabeth Warren United States Senate 317 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Warren:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Gary Peters United States Senate 724 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Peters:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely.



April 24, 2018

The Honorable Jack Reed United States Senate 728 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Reed:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Jeanne Shaheen United States Senate 506 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Shaheen:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely.



April 24, 2018

The Honorable Jeff Merkley United States Senate 313 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Merkley:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Jon Tester United States Senate 311 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Tester:

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Sincerely,



April 24, 2018

The Honorable Kamala D. Harris United States Senate B40B Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Harris:

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I appreciate your interest in this matter. Your views are important and will be entered into the record of the proceeding. Please let me know if I can be of any further assistance.

Sincerely,



April 24, 2018

The Honorable Kirsten Gillibrand United States Senate 478 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Gillibrand:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

Then, in early 2015, the FCC jettisoned this successful, bipartisan approach to the Internet and decided to subject the Internet to utility-style regulation designed in the 1930s to govern Ma Bell. This decision was a mistake. For one thing, there was no problem to solve. The Internet wasn't broken in 2015. We weren't living in a digital dystopia. To the contrary, the Internet had been a stunning success.

Not only was there no problem, this "solution" hasn't worked. The main complaint consumers have about the Internet is not and has never been that their Internet service provider is blocking access to content. It's that they don't have access at all or enough competition between providers. The 2015 regulations have taken us in the opposite direction from these consumer preferences. Under Title II, annual investment in high-speed networks declined by billions of dollars—the first time that such investment has gone down outside of a recession in the Internet era. And our recent Broadband Deployment Report shows that the pace of both fixed and mobile broadband deployment declined dramatically in the two years following the *Title II Order*.

The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what they're buying and that startups get information they need as they develop new products and services.

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Sincerely,



April 24, 2018

The Honorable Maggie Hassan United States Senate B85 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Hassan:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely.



April 24, 2018

The Honorable Maria Cantwell United States Senate 511 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Cantwell:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

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Sincerely,



April 24, 2018

The Honorable Martin Heinrich United States Senate 303 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Heinrich:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Mazie K. Hirono United States Senate 330 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Hirono:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Patrick J. Leahy United States Senate 437 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Leahy:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

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Sincerely.



April 24, 2018

The Honorable Richard Blumenthal United States Senate 706 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Blumenthal:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Richard J. Durbin United States Senate 711 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Durbin:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Robert Menendez United States Senate 528 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Ron Wyden United States Senate 221 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Wyden:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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Sincerely,



April 24, 2018

The Honorable Sheldon Whitehouse United States Senate 530 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Whitehouse:

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April 24, 2018

The Honorable Sherrod Brown United States Senate 713 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Brown:

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The *Restoring Internet Freedom Order* also promotes more robust transparency among ISPs than existed three years ago. It requires ISPs to disclose a variety of business practices, and the failure to do so subjects them to enforcement action. This transparency rule will ensure that consumers know what they're buying and that startups get information they need as they develop new products and services.

Moreover, we reestablish the Federal Trade Commission's authority to ensure that consumers and competition are protected. Two years ago, the *Title II Order* stripped the FTC of its jurisdiction over broadband providers by deeming them all Title II "common carriers." But now we are putting our nation's premier consumer protection cop back on the beat.

In sum, Americans will still be able to access the websites they want to visit. They will still be able to enjoy the services they want to enjoy. There will still be regulation and regulators guarding a free and open Internet. This is the way things were prior to 2015, and this is the way they will be in the future.

I appreciate your interest in this matter. Your views are important and will be entered into the record of the proceeding. Please let me know if I can be of any further assistance.

Sincerely.



April 24, 2018

The Honorable Tammy Baldwin United States Senate 717 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Baldwin:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

At the dawn of the commercial Internet in 1996, President Clinton and a Republican Congress agreed that it would be the policy of the United States "to preserve the vibrant and competitive free market that presently exists for the Internet . . . unfettered by Federal or State regulation." This bipartisan policy worked. Encouraged by light-touch regulation, the private sector invested over \$1.5 trillion to build fixed and mobile networks throughout the United States. Innovators and entrepreneurs grew startups into global giants. America's Internet economy became the envy of the world.

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April 24, 2018

The Honorable Tammy Duckworth United States Senate G12 Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Duckworth:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Tim Kaine United States Senate 231 Russell Senate Office Building Washington, D.C. 20510

Dear Senator Kaine:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Tom Udall United States Senate 531 Hart Senate Office Building Washington, D.C. 20510

Dear Senator Udall:

Thank you for your letter regarding the *Restoring Internet Freedom Order*, which reestablished the authority of the Federal Trade Commission to oversee the network management practices of Internet service providers while returning to the light-touch legal framework that governed such practices for almost twenty years.

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April 24, 2018

The Honorable Chris Van Hollen United States Senate B40C Dirksen Senate Office Building Washington, D.C. 20510

Dear Senator Van Hollen:

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